

DEPARTMENT OF CORRECTION  INSTITUTIONAL SERVICES DIVISION	DIRECTIVE NUMBER: 401.06.03.085	PAGE NUMBER: 1 of 2
	SUBJECT: Organ Transplants	Adopted: 06-01-95 Revised; 12-15-98 Reformatted: 02-2001

01.00.00. POLICY OF THE DEPARTMENT

It is the policy of the Idaho Board of Correction that the Department of Correction ensure proper medical, dental, psychiatric and psychological services and treatment be provided to inmates incarcerated under its jurisdiction, including those state-sentenced offenders held in non-IDOC facilities.

02.00.00. TABLE OF CONTENTS

- 01.00.00. **POLICY OF THE DEPARTMENT**
- 02.00.00. **TABLE OF CONTENTS**
- 03.00.00. **REFERENCES**
- 04.00.00. **DEFINITIONS**
- 05.00.00. **PROCEDURE**

03.00.00. REFERENCES

Idaho Department of Correction Policy 401, Hospitalization Institutional Clinical Services and Treatment.

IDAPA Rule 06.01.01. Rules of the Board of Correction, Section 401, Medical Care.

04.00.00. DEFINITIONS

Facility Health Authority: The on-site Health Authority or senior health staff assigned.

Medical Authority: Idaho Department of Correction Health Services Chief.

Medical Director: A physician (M.D.) either employed by the Idaho Department of Correction or the physician in charge if medical services are privatized.

Regional Health Manager: The individual assigned as the primary manager who is administratively responsible for the delivery of medical services if health services are privatized.

05.00.00. PROCEDURE

Organ transplants may be approved by the Director of Idaho Department of Correction and the Medical Authority when an inmate is the designated recipient and it is determined by the attending physician, medical director, review committee, and the

DIRECTIVE NUMBER: 401.06.03.085	SUBJECT: Organ Transplants	PAGE NUMBER: 2 of 2
---	--------------------------------------	-------------------------------

Medical Authority that it is medically reasonable to expect that the inmate would die or suffer irreversible bodily harm if the transplant procedure were to be denied past the inmate's parole, probation or final release date.

Criteria will be established in determining any inmate's eligibility to receive any organ transplant. These criteria shall be based upon definitive medical findings, the community standard of care, and may include specific criteria established by the review committee. Issue of transplant and a decision to proceed will be on a case-by-case basis.

All decisions made by the attending physician, the Medical Authority, the designated medical director and/or the review committee must consider that all inmates are high-risk recipients. This is attributed to their lifestyle prior to incarceration, which includes the high incidence of alcohol and/or drug use, HIV, hepatitis, tuberculosis and other communicable diseases. High risk past behavior and future behavior expectations are definite considerations that may disqualify the inmate for consideration.

Determination of an inmate's need for an organ transplant shall be made by the Director, the attending physician, the Idaho Department of Correction Medical Authority and a review committee comprised of the Administrator of Institutional Services, a designated medical director, and two independent physicians in that field of specialty. If the decision to proceed with the transplant is approved, then all findings will be turned over to the designated transplant team for final determination and recommendation.

Organ donations by inmates may be approved in only one situation: the recipient must be a member of the inmate's immediate family. Additionally, any such organ donation by any inmate to a member of his/her immediate family must meet the following criteria.

No financial liability will be incurred by the IDOC or its medical provider if privatized as a result of any proposed organ donation.

The proposed transplant procedure must fall within acceptable community standards of medical care and established practices.

Any costs related to the proposed organ donation and transplant not covered by the recipient's health insurance must be paid by the recipient. Any related expenses and costs which are non-reimbursable and related to the transplant must be paid by the recipient.

Organ donations from the bodies of executed inmates is prohibited by the IDOC.